

11/30/09 - Monday, November 30, 2009

**CITY OF EAU CLAIRE
PLAN COMMISSION MINUTES**

Meeting of November 30, 2009

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Duax, FitzGerald, Hibbard, Kaiser, Kayser, Klinkhammer, Larson, Pearson, Seymour

Staff Present: Messrs. Genskow, Noel, Tufte

The meeting was chaired by Mr. Kaiser.

**1. REZONING (Z-1457-09) “ P-Public to CBDP, Bolton Refuge House
CONDITIONAL USE PERMIT (CZ-0922) “ Ground Floor Dwelling Units**

Darryl Tufte presented a request to rezone a parcel at 807 S. Farwell Street from P-Public to CBDP (Central Business District-Planned), to adopt the General Development Plan (site plan), and to approve ground floor dwelling units. The Comprehensive Plan>

Gerald Wilkie, Bolton Refuge House, said they™re willing to work/cost share with the City™s Housing Authority regarding the Earl Street stairway and providing pedestrian access to Farwell Street. The parking lot was redesigned to soften the building™s look. Security fencing and lighting will be provided.

Mr. FitzGerald moved to approve Z-1457-09 and CZ-0922 with staff conditions. Mr. Kayser seconded and the motion carried. Mr. Pearson abstained.

2. REZONING (Z-1458-09) “ R-1 to R-1P, 3408 Damon Street

Mr. FitzGerald removed himself from the commission.

Mr. Tufte presented a request to rezone property from R-1 to R-1P and to approve the existing setbacks of the home on the property. The house was built in 2002 and built into required setbacks. The issue was not discovered until recently. The builder certified the house to have met setbacks. The shorter setbacks are not noticeable as the lot is a corner lot (Damon Street and Anric Drive). A rezoning to R-1P (planned development) would establish the setbacks as legal and conforming.

Applicant, Tina Bann with Prudential Benrud Realty, stated the home was already sold twice and the issue was missed both times. She represents the home seller.

Mr. FitzGerald said he™s the buyer™s agent and a rezoning is common sense considering the situation.

Mr. Kayser moved to approve Z-1458-09. Mr. Klinkhammer seconded and the motion carried. Mr. FitzGerald abstained.

3. COMPREHENSIVE PLAN AMENDMENT “ Justice Center

Mr. FitzGerald rejoined the commission.

Mr. Tufte presented an amendment to the Comprehensive Plan to incorporate a policy and list of criteria for a County Justice Center. The proposed amendment is to guide the County in considering sites for the Center. The policy guidance is not site specific but helps evaluate where best to choose a site in light of the City™s Comprehensive Plan goals.

Ken Fulgione, 330 Lincoln Avenue, questioned why the public was not included in drafting the amendment. He cited a U.S. Department of Justice - National Institute of Corrections Study which mentioned justice centers can be located in light industrial areas. He said the County™s Justice Center Selection Committee will not know until mid-January which site is considered best.

Sharyn Moss, 425 Hudson Street, stated the Historic Randall Park Neighborhood Steering Committee is against the proposed amendment. They had concerns over some of the language such as œcompact development, utility and street impacts, and the lack of including light industrial areas. She stated there was no collaboration with the neighborhood on the proposed amendment.

Maureen Slauson, 322 W. Grand Avenue, stated a policy should be added regarding the potential size of a justice center and to plan for its impact. She also had concerns over environmental impacts.

Steve Hogseth, 3139 Hidden Place #1, questioned what was meant by the wording œcompact development and believed the proposed amendment to be a conspiracy in order to get the jail expansion project back to its existing site.

Helene Smiar, 320 Broadway Street, spoke on behalf of her husband. She read various definitions of œcompact development and stated the word should be used correctly in the amendment.

Pastor David Irgens, 145 Marston Avenue, stated Grace Lutheran Church is against the jail expansion project occurring at the existing site. He cited that the National Institute of Corrections Study recommends justice centers not be located near housing, a school, or a church.

Scott Erickson, 1904 Brackett Avenue, stated a new justice center located outside of downtown could bring new economic development potential to an area and increase tax revenue.

Analisa DeGrave, 133 Lake Street, suggested some edits to the amendment, such as define compact development more precisely, plan for its size, and restrict the location from being near a school, church, or housing development.

Will Fantle, 901 Platt Street, stated the amendment is vague and needs more clarification, such as planning for a justice center's size, parking, and landscape buffering. He thought light industrial areas should be included and that the City should help guide the County in the process.

John Prince, 1229 Cummings Street, stated there needs to be planning for a jail exercise yard. He suggested 20 acres might be a good size for a future justice center.

Tami Schraufnagel, 529 Hobart Street, stated the City should have included the public more in this amendment. She asked the Plan Commission to make changes per people's earlier comments.

Caroline Irobach, 411 Hudson Street, stated compact development should be removed and compatibility and size considerations should be addressed as more important.

Jim Crotteau, 3021 Irene Drive, stated the amendment is not necessary if the downtown site is not being considered anymore.

Joel Mikelson, 702 Water Street, stated the amendment process passed by the public review again.

Jerry Foote, 606 4th Avenue, said the amendment is narrow in scope and the public perception is that it allows for consideration of the downtown courthouse site again.

Gary Gibson, E16934 Scenic Drive, Fall Creek, WI, stated the City should wait on the amendment until the County decides on a site; that way the amendment would reflect what the County wants.

Jeff DeGraves, 133 Lake Street, stated a geographic consultant on jail siting should be hired to help.

Mr. Hibbard proposed an amendment. His version included the same language as proposed but included the words "neighborhood revitalization" in the objective statement and "light industrial" in the Compatibility Policy.

Commissioners discussed the amendment and made the following additions. They added references to the Community Facility Chapter's Goal Statement in the objective's statement and the words, "as provided in Chapter 2 (Land Use), Objective 1, Policy 1 in the Consistency with Other Plan Goals Policy to further define compact development. They also added the words, "including possible expansion to the Compatibility Policy."

Mr. Hibbard accepted the additional revisions to his amendment. Mr. Kayser seconded the friendly amendment.

Mr. Fitzgerald moved to approve the revisions to the original amendment. Mr. Klinkhammer seconded and the motion carried.

4. DISCUSSION/DIRECTION

A. Code Compliance Items

None

B. Future Agenda Items

None

5. MINUTES

The minutes of the meeting of November 16, 2009, were approved.

Joseph Seymour, Secretary